

## CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 506

**Citations Affected:** IC 6-8.1-9.5-1; IC 11-13-1-1; IC 31-31-5-2; IC 31-40-1-1.7; IC 31-40-2; IC 33-19-6.5; IC 35-33-9-7; IC 35-38-2; IC 36-2-16.5.

**Synopsis:** Probation user's fees. Conference committee report for ESB 506. Permits a clerk to collect a credit card service fee from a person who uses a credit card to make a transaction with the clerk. Specifies that the credit card service fee is in addition to the amount of bail set by the trial court. Requires the county fiscal body to establish a salary schedule for probation officers and permits the county fiscal body to make appropriations from the county supplemental juvenile probation services fund and the county supplemental adult probation services fund to supplement the salaries of probation officers. Imposes an administration fee for each person placed on probation in a juvenile or adult court. Requires the administration fee to be collected before any other probation user fee. Allows a probation department to: (1) receive payment for fees by credit card; and (2) petition a court to impose or increase probation fees if the financial position of a person changes while the person is on probation. Allows a court to: (1) enforce an order to pay probation user fees by lien or garnishing of wages; (2) impose an increased probation user fee in certain circumstances; and (3) issue an order preventing a person from receiving a driver's license or permit if the person is delinquent in payment of probation fees. Provides up to 3% of the probation fees collected to the clerk's record perpetuation fund and up to 3% to the county, city, or town general fund. **(This committee report removes provisions providing that when probation fees collected are insufficient to meet the minimum compensation requirements adopted by the judicial conference for probation officers, a city or county fiscal body is not required to comply with the minimum compensation requirements, but may supplement the salaries from the general fund.)**

**Effective:** July 1, 2003.

## CONFERENCE COMMITTEE REPORT

**MR. PRESIDENT:**

*Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 506 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 6-8.1-9.5-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. For purposes of this
- 4 chapter:
- 5 "Claimant agency" means any state department, institution,
- 6 commission, committee, board, division, bureau, authority, officer, ~~or~~
- 7 official, **or clerk of a circuit court.**
- 8 "Debtor" means any person or legal entity that is delinquent in paying
- 9 a debt to a claimant agency that has not been adjudicated, satisfied by
- 10 court order, set aside by court order, or discharged in bankruptcy.
- 11 "Debt" means any liquidated amount owed and due to a Title IV-D
- 12 agency of another state, or to any claimant agency which has accrued
- 13 through contract, subrogation, assignment for purposes of collection,
- 14 tort, operation of law, or any other legal theory, regardless of whether
- 15 there is an outstanding judgment for that sum.
- 16 SECTION 2. IC 11-13-1-1 IS AMENDED TO READ AS FOLLOWS
- 17 [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) A court or division of a court
- 18 authorized to impose probation shall appoint one (1) or more probation
- 19 officers, depending on the needs of the court, except that two (2) or
- 20 more divisions within a court, two (2) or more courts within a county,
- 21 or two (2) or more courts not in the same county may jointly appoint
- 22 and employ one (1) or more probation officers for the purpose of

meeting the requirements of this section.

(b) A person may be appointed as a probation officer after the effective date established by the judicial conference of Indiana only if that person meets the minimum employment qualifications adopted by the conference, except that this requirement does not apply to any person certified as a qualified probation officer before that effective date. Any uncertified person appointed as a probation officer after the effective date who fails to successfully complete the written examination established under section 8 of this chapter within six (6) months after the date of ~~his~~ **the person's** appointment is prohibited from exercising the powers of a probation officer as granted by law.

(c) Probation officers shall serve at the pleasure of the appointing court and are directly responsible to and subject to the orders of the court. The amount and time of payment of salaries of probation officers shall be fixed by the ~~court consistent with section 8 of this chapter to~~ **county, city, or town fiscal body in accordance with the salary schedule adopted by the county, city, or town fiscal body under IC 36-2-16.5. The salary of a probation officer shall** be paid out of the county, ~~or city, or town~~ treasury by the county auditor or city controller. Probation officers are entitled to their actual expenses necessarily incurred in the performance of their duties. Probation officers shall give a bond if the court so directs in a sum to be fixed by the court.

(d) A court, or two (2) or more courts acting jointly, may designate a probation officer to direct and supervise the work of the probation department.

SECTION 3. IC 31-31-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) **The salary of a probation officer shall be fixed by the county fiscal body in accordance with the salary schedule adopted by the county fiscal body under IC 36-2-16.5. The salary of a probation officer shall be paid by the county.**

(b) Subject to the approval of the county fiscal body, the judge shall fix and the county shall pay the salaries of ~~the probation officers and other~~ juvenile court employees **other than probation officers.**

~~(b)~~ (c) In addition to their annual salary, probation officers shall be reimbursed for any necessary travel expenses incurred in the performance of their duties in accordance with the law governing state officers and employees.

SECTION 4. IC 31-40-1-1.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1.7. (a) **A person may pay a monthly probation user's fee under section 1 or 1.5 of this chapter before the date the payment is required to be made without obtaining the prior approval of a court or a probation department. However, if a delinquent child is discharged from probation before the date the delinquent child was scheduled to be released from probation, any monthly probation user's fee paid in advance for the delinquent child may not be refunded.**

(b) A probation department may petition a court to:

(1) impose a probation user's fee on a person; or

(2) increase a person's probation user's fee;  
under section 1 or 1.5 of this chapter if the financial ability of the  
person to pay a probation user's fee changes while the person is on  
probation.

(c) An order to pay a probation user's fee under section 1 or 1.5  
of this chapter:

(1) is a judgment lien that:

(A) attaches to the property of the person subject to the  
order;

(B) may be perfected;

(C) may be enforced to satisfy any payment that is  
delinquent under section 1 or 1.5 of this chapter; and

(D) expires;

in the same manner as a judgment lien created in a civil  
proceeding;

(2) is not discharged by the completion of the person's  
probationary period or other sentence imposed on the person;  
and

(3) is not discharged by the liquidation of a person's estate by  
a receiver under IC 32-30-5.

(d) A delinquent child placed on probation for more than one (1)  
delinquent act:

(1) may be required to pay more than one (1) initial probation  
user's fee; and

(2) may not be required to pay more than one (1) monthly  
probation user's fee per month;

to either the probation department or the clerk of the court.

(e) If a court orders a person to pay a probation user's fee under  
section 1 or 1.5 of this chapter, the court may garnish the wages,  
salary, and other income earned by the person to enforce the order.

(f) If:

(1) a person is delinquent in paying the person's probation  
user's fees required under section 1 or 1.5 of this chapter; and

(2) the person's driver's license or permit has been suspended  
or revoked or the person has never been issued a driver's  
license or permit;

the court may order the bureau of motor vehicles to not issue a  
driver's license or permit to the person until the person has paid  
the person's delinquent probation user's fees.

SECTION 5. IC 31-40-2-1 IS AMENDED TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2003]: Sec. 1. (a) Subject to IC 31-40-1-3, a  
juvenile court may order each delinquent child who receives  
supervision under IC 31-37-19 or the child's parent, guardian, or  
custodian to pay to **either** the probation department **or the clerk of the**  
**court:**

(1) an initial probation user's fee of at least twenty-five dollars  
(\$25) but not more than one hundred dollars (\$100); ~~and~~

(2) a probation user's fee of at least ~~five ten~~ **ten** dollars (~~\$5~~) (**\$10**) but  
not more than ~~fifteen~~ **twenty-five** dollars (~~\$15~~) (**\$25**) for each  
month the child receives supervision; **and**

(3) **an administrative fee of one hundred dollars (\$100) if the**

delinquent child is supervised by a juvenile probation officer.

(b) If a clerk of a court collects a probation user's fee, the clerk: (1) may keep not more than three percent (3%) of the fee to defray the administrative costs of collecting the fee and shall deposit any fee kept under this subsection in the clerk's record perpetuation fund established under IC 33-19-6-1.5; and (2) if requested to do so by the county auditor, city fiscal officer, or town fiscal officer under clause (A), (B), or (C), transfer not more than three percent (3%) of the fee to the:

(A) county auditor who shall deposit the money transferred under this subdivision into the county general fund;

(B) city general fund when requested by the city fiscal officer; or

(C) town general fund when requested by the town fiscal officer.

(c) The probation department or clerk shall collect the administrative fee under subsection (a)(3) before collecting any other fee under subsection (a). The probation department or the clerk shall deposit the probation user's fees and the administrative fees paid under subsection (a) into the county supplemental juvenile probation services fund.

(d) In addition to other methods of payment allowed by law, a probation department may accept payment of fees required under this section and section 1.5 of this chapter by credit card (as defined in IC 14-11-1-7). The liability for payment is not discharged until the probation department receives payment or credit from the institution responsible for making the payment or credit.

(e) The probation department may contract with a bank or credit card vendor for acceptance of bank or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the probation department or charged directly to the probation department's account, the probation department may collect a credit card service fee from the person using the bank or credit card. The fee collected under this subsection is a permitted additional charge to the money the probation department is required to collect under subsection (a).

(f) The probation department shall deposit the credit card service fees collected under subsection (e) into the county supplemental juvenile probation services fund. These funds may be used without appropriation to pay the transaction charge or discount fee charged by the bank or credit card vendor.

SECTION 6. IC 31-40-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 1.5.** Notwithstanding the probation user's fee amounts established under section 1 of this chapter, a court may order a person to pay a probation user's fee that exceeds the maximum amount allowed under section 1 of this chapter if:

(1) the person was placed on probation in another state and moved or was transferred to Indiana;

(2) the other state allows a higher probation user's fee than the

1        **maximum amount allowed under section 1 of this chapter; and**  
 2        **(3) the probation user's fee the court orders the person to pay**  
 3        **does not exceed the maximum amount allowed in the other**  
 4        **state.**

5        SECTION 7. IC 31-40-2-2 IS AMENDED TO READ AS FOLLOWS  
 6        [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The fiscal body of the county  
 7        shall appropriate money from the county supplemental juvenile  
 8        probation services fund:

9        (1) to the juvenile courts of the county for the use by the courts in  
 10       supplementing probation services to juveniles; **and**

11       **(2) to supplement the salaries of juvenile probation officers in**  
 12       **accordance with the salary schedule set by the county fiscal**  
 13       **body under IC 36-2-16.5.**

14       (b) Money in the county supplemental juvenile probation services  
 15       fund may be used only for supplementing probation services and ~~for~~  
 16       ~~salary increases for~~ **to supplement the salaries of** probation officers  
 17       in accordance with IC 31-31-5.

18       SECTION 8. IC 33-19-6.5 IS ADDED TO THE INDIANA CODE  
 19       AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 20       JULY 1, 2003]:

21       **Chapter 6.5. Credit Card Service Fee**

22       **Sec. 1. This chapter applies to any transaction in which:**

23       (1) the clerk is required to collect money from a person,  
 24       including:

25       (A) bail;

26       (B) a fine;

27       (C) a civil penalty;

28       (D) a court fee, court cost, or user fee imposed by the court;

29       or

30       (E) a fee for the preparation, duplication, or transmission of  
 31       a document; and

32       (2) the person pays the clerk by means of a credit card, debit  
 33       card, charge card, or similar method.

34       **Sec. 2. A payment made under this chapter does not finally**  
 35       **discharge the person's liability, and the person has not paid the**  
 36       **liability until the clerk receives payment or credit from the**  
 37       **institution responsible for making the payment or credit. The clerk**  
 38       **may contract with a bank or credit card vendor for acceptance of**  
 39       **bank or credit cards. However, if there is a vendor transaction**  
 40       **charge or discount fee, whether billed to the clerk or charged**  
 41       **directly to the clerk's account, the clerk may collect a credit card**  
 42       **service fee from the person using the bank or credit card. The fee**  
 43       **collected under this section is a permitted additional charge to the**  
 44       **money the clerk is required to collect under section 1(1) of this**  
 45       **chapter.**

46       **Sec. 3. The clerk shall forward credit card service fees collected**  
 47       **under section 2 of this chapter to the county auditor or city or town**  
 48       **fiscal officer in accordance with IC 33-19-1-3(a). These funds may**  
 49       **be used without appropriation to pay the transaction charge or**  
 50       **discount fee charged by the bank or credit card vendor.**

51       SECTION 9. IC 35-33-8-9 IS ADDED TO THE INDIANA CODE

AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 9. In addition to any other condition of bail imposed under this chapter, a defendant who posts bail by means of a credit card shall pay the credit card service fee if a credit card service fee is imposed under IC 33-19-6.5.**

SECTION 10. IC 35-33-9-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 7. In addition to any other condition of bail imposed under this chapter, a defendant who posts bail by means of a credit card shall pay the credit card service fee if a credit card service fee is imposed under IC 33-19-6.5.**

SECTION 11. IC 35-38-2-1, AS AMENDED BY P.L.170-2002, SECTION 132, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 1. (a) Whenever it places a person on probation, the court shall:**

- (1) specify in the record the conditions of the probation; and
- (2) advise the person that if the person violates a condition of probation during the probationary period, a petition to revoke probation may be filed before the earlier of the following:
  - (A) One (1) year after the termination of probation.
  - (B) Forty-five (45) days after the state receives notice of the violation.

(b) In addition, if the person was convicted of a felony and is placed on probation, the court shall order the person to pay to the probation department the user's fee prescribed under subsection (c). If the person was convicted of a misdemeanor, the court may order the person to pay the user's fee prescribed under subsection (d). The court may:

- (1) modify the conditions (except a fee payment ~~under subsection (c)~~ **may only be modified as provided in section 1.7(b) of this chapter**); or
- (2) terminate the probation;

at any time. If the person commits an additional crime, the court may revoke the probation.

**(c) If a clerk of a court collects a probation user's fee, the clerk:**

- (1) **may keep not more than three percent (3%) of the fee to defray the administrative costs of collecting the fee and shall deposit any fee kept under this subsection in the clerk's record perpetuation fund established under IC 33-19-6-1.5; and**
- (2) **if requested to do so by the county auditor, city fiscal officer, or town fiscal officer under clause (A), (B), or (C), transfer not more than three percent (3%) of the fee to the:**

- (A) **county auditor, who shall deposit the money transferred under this subdivision into the county general fund;**
- (B) **city general fund when requested by the city fiscal officer; or**
- (C) **town general fund when requested by the town fiscal officer.**

~~(c)~~ **(d)** In addition to any other conditions of probation, the court shall order each person convicted of a felony to pay:

- (1) not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) as an initial probation user's fee;

(2) a monthly probation user's fee of not less than ~~five~~ **fifteen** dollars ~~(~~\$5~~) (\$15)~~ nor more than ~~fifteen~~ **thirty** dollars ~~(~~\$15~~) (\$30)~~ for each month that the person remains on probation;

(3) the costs of the laboratory test or series of tests to detect and confirm the presence of the human immunodeficiency virus (HIV) antigen or antibodies to the human immunodeficiency virus (HIV) if such tests are required by the court under section 2.3 of this chapter; ~~and~~

(4) an alcohol abuse deterrent fee and a medical fee set by the court under IC 9-30-9-8, if the court has referred the defendant to an alcohol abuse deterrent program; ~~and~~

**(5) an administrative fee of one hundred dollars (\$100);**  
to ~~either~~ the probation department ~~or the clerk~~.

~~(d)~~ **(e)** In addition to any other conditions of probation, the court may order each person convicted of a misdemeanor to pay:

(1) not more than a fifty dollar (\$50) initial probation user's fee;

(2) ~~not more than a ten dollar (\$10)~~ monthly probation user's fee of **not less than ten dollars (\$10) nor more than twenty dollars (\$20)** for each month that the person remains on probation; ~~and~~

(3) the costs of the laboratory test or series of tests to detect and confirm the presence of the human immunodeficiency virus (HIV) antigen or antibodies to the human immunodeficiency virus (HIV) if such tests are required by the court under section 2.3 of this chapter; ~~and~~

**(4) an administrative fee of fifty dollars (\$50);**  
to ~~either~~ the probation department ~~or the clerk~~.

~~(e)~~ **(f)** **The probation department or clerk shall collect the administrative fees under subsections (d)(5) and (e)(4) before collecting any other fee under subsection (d) or (e).** All money collected by the probation department ~~or the clerk~~ under this section shall be transferred to the county treasurer who shall deposit the money into the county supplemental adult probation services fund. The fiscal body of the county shall appropriate money from the county supplemental adult probation services fund:

(1) to the county, superior, circuit, or municipal court of the county that provides probation services to adults **to supplement adult probation services; and**

(2) **to supplement the salaries of probation officers in accordance with the schedule adopted by the county fiscal body under IC 36-2-16.5.**

~~(f)~~ **(g)** **The probation department or clerk shall collect the administrative fee under subsection (e)(4) before collecting any other fee under subsection (e).** All money collected by the probation department ~~or the clerk~~ of a city or town court under this section shall be transferred to the fiscal officer of the city or town ~~The fiscal officer shall for deposit the money~~ into the local supplemental adult probation services fund. The fiscal body of the city or town shall appropriate money from the local supplemental adult probation services fund to the city or town court of the city or town for the court's use in providing probation services to adults or for the court's use for other purposes as may be appropriated by the fiscal body. Money may be appropriated



under this subsection only to those city or town courts that have an adult probation services program. If a city or town court does not have such a program, the money collected by the probation department must be transferred and appropriated as provided under subsection ~~(e)~~: **(f)**.

~~(g)~~ **(h)** Except as provided in subsection ~~(i)~~: **(j)**, the county or local supplemental adult probation services fund may be used only to supplement probation services and to ~~increase~~ **supplement** salaries for probation officers. A supplemental probation services fund may not be used to replace other funding of probation services. Any money remaining in the fund at the end of the year does not revert to any other fund but continues in the county or local supplemental adult probation services fund.

~~(h)~~ **(i)** A person placed on probation for more than one (1) crime:

**(1)** may ~~not~~ be required to pay more than ~~(+)~~ one (1) initial probation user's fee; and

**(2)** **may not be required to pay more than** one (1) monthly probation user's fee per month;

to the probation department **or the clerk**.

~~(i)~~ **(j)** This subsection applies to a city or town located in a county having a population of more than one hundred eighty-two thousand seven hundred ninety (182,790) but less than two hundred thousand (200,000). Any money remaining in the local supplemental adult probation services fund at the end of the local fiscal year may be appropriated by the city or town fiscal body to the city or town court for use by the court for purposes determined by the fiscal body.

**(k)** **In addition to other methods of payment allowed by law, a probation department may accept payment of fees required under this section and section 1.5 of this chapter by credit card (as defined in IC 14-11-1-7). The liability for payment is not discharged until the probation department receives payment or credit from the institution responsible for making the payment or credit.**

**(l)** **The probation department may contract with a bank or credit card vendor for acceptance of bank or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the probation department or charged directly to the probation department's account, the probation department may collect a credit card service fee from the person using the bank or credit card. The fee collected under this subsection is a permitted additional charge to the money the probation department is required to collect under subsection (d) or (e).**

**(m)** **The probation department shall forward the credit card service fees collected under subsection (l) to the county treasurer or city or town fiscal officer in accordance with subsection (f) or (g). These funds may be used without appropriation to pay the transaction charge or discount fee charged by the bank or credit card vendor.**

SECTION 12. IC 35-38-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 1.5. Notwithstanding the probation user's fee amounts established under section 1 of this chapter, a court may**

order a person to pay a probation user's fee that exceeds the maximum amount allowed under section 1 of this chapter if:

- (1) the person was placed on probation in another state and moved or was transferred to Indiana;
- (2) the other state allows a higher probation user's fee than the maximum amount allowed under section 1 of this chapter; and
- (3) the probation user's fee the court orders the person to pay does not exceed the maximum amount allowed in the other state.

SECTION 13. IC 35-38-2-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1.7. (a) A person may pay a monthly probation user's fee under section 1 or 1.5 of this chapter before the date the payment is required to be made without obtaining the prior approval of a court or a probation department. However, if the person is discharged from probation before the date the person was scheduled to be released from probation, any monthly probation user's fee paid in advance by the person may not be refunded.

(b) A probation department may petition a court to:

- (1) impose a probation user's fee on a person; or
- (2) increase a person's probation user's fee;

under section 1 or 1.5 of this chapter if the financial ability of the person to pay a probation user's fee changes while the person is on probation.

(c) An order to pay a probation user's fee under section 1 or 1.5 of this chapter:

(1) is a judgment lien that:

- (A) attaches to the property of the person subject to the order;
- (B) may be perfected;
- (C) may be enforced to satisfy any payment that is delinquent under section 1 or 1.5 of this chapter; and
- (D) expires;

in the same manner as a judgment lien created in a civil proceeding;

(2) is not discharged by the completion of the person's probationary period or other sentence imposed on the person; and

(3) is not discharged by the liquidation of a person's estate by a receiver under IC 32-30-5.

(d) If a court orders a person to pay a probation user's fee under section 1 or 1.5 of this chapter, the court may garnish the wages, salary, and other income earned by the person to enforce the order.

(e) If:

- (1) a person is delinquent in paying the person's probation user's fees required under section 1 or 1.5 of this chapter; and
- (2) the person's driver's license or permit has been suspended or revoked or the person has never been issued a driver's license or permit;

the court may order the bureau of motor vehicles to not issue a

1 driver's license or permit to the person until the person has  
2 paid the person's delinquent probation user's fees.

3 SECTION 14. IC 36-2-16.5 IS ADDED TO THE INDIANA CODE  
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2003]:

6 **Chapter 16.5. Salary Schedule for Probation Officers**

7 **Sec. 1. This chapter applies to all counties, cities, and towns that**  
8 **employ probation officers.**

9 **Sec. 2. As used in this chapter, "probation officer" means a**  
10 **probation officer or a juvenile probation officer.**

11 **Sec. 3. In consultation with:**

12 (1) at least one (1) judge of a court or division of a court  
13 authorized to impose probation; and

14 (2) at least one (1) probation officer;

15 the county, city, or town fiscal body shall adopt a salary schedule  
16 setting the compensation of a probation officer. The salary  
17 schedule must comply with the minimum compensation  
18 requirements for probation officers adopted by the judicial  
19 conference of Indiana under IC 11-13-1-8.

20 **Sec. 4. The county, city, or town fiscal body shall fix the salary of**  
21 **a probation officer based on the salary schedule adopted under this**  
22 **chapter.**

23 **Sec. 5. Unless otherwise specified in the salary schedule, a**  
24 **probation officer is entitled to the same benefits, holidays, and**  
25 **hours as other county, city, or town employees.**

26 SECTION 15. [EFFECTIVE JULY 1, 2003] IC 31-40-1-1.7(b),  
27 IC 31-40-1-1.7(d), IC 31-40-2-1(a), IC 31-40-2-1(b), IC 31-40-2-1.5,  
28 IC 35-38-2-1(c), IC 35-38-2-1(d), IC 35-38-2-1(e), IC 35-38-2-1(i),  
29 IC 35-38-2-1.5, and IC 35-38-2-1.7(b), all as amended by this act,  
30 apply only to individuals who are placed on probation after June  
31 30, 2003.

32 SECTION 16. [EFFECTIVE JULY 1, 2003] (a) Except as provided  
33 in subsection (b), the administrative fee deposited into:

34 (1) the county supplemental juvenile probation services fund  
35 under IC 31-40-2-1;

36 (2) the county supplemental adult probation services fund  
37 under IC 35-38-2-1(f);

38 (3) the local supplemental adult probation services fund under  
39 IC 35-38-2-1(g);

40 as amended by this act shall be used to pay for salary increases  
41 required under the salary schedule adopted under IC 36-2-16.5 and  
42 IC 11-13-8 that became effective January 1, 2004.

43 (b) Administrative fees collected that exceed the amount required  
44 to pay for salary increases required under the salary schedule  
45 adopted under IC 36-2-16.5 and IC 11-13-1-8 may be used in any  
46 manner permitted under IC 31-40-2-2, IC 35-38-2-1(f), or  
47 IC 35-38-2-1(i).

(Reference is to ESB 506 as reprinted April 11, 2003.)

**Conference Committee Report**  
**on**  
**Engrossed Senate Bill 506**

**S**igned by:

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Senator Meeks C  
Chairperson

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Representative Lawson L

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Senator Sipes

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Representative Foley

**Senate Conferees**

**House Conferees**